

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3115

IN THE MATTER OF:

Served January 15, 1988

Application of AMERICAN COACH)
LINES, INC., for a Certificate of)
Public Convenience and Necessity,)
Charter Operations)

Case No. AP-87-20

Application of AMERICAN COACH)
LINES, INC., a District of Columbia)
Corporation, to Acquire Control of)
AMERICAN COACH LINES, INC., a)
Maryland Corporation)

Case No. AP-87-27

By Order No. 3094, served November 18, 1987, the Commission scheduled the above-captioned applications for public hearing on January 21, 1988. On January 15, 1988, the Commission's Office of the General Counsel ("Counsel") filed a Motion for Summary Judgment in Case No. AP-87-20 and a Motion to Postpone the hearing scheduled for January 21.

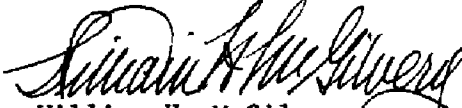
Commission Rule No. 15 provides that, except for good cause shown, any motion filed prior to a hearing that seeks postponement of the hearing, must be filed at least ten days prior to the scheduled hearing date. Counsel states that the Motion to Postpone is based upon the impossibility of resolving the Motion for Summary Judgment prior to the hearing date. The Motion for Summary Judgment, in turn, is based upon evidence that came into the possession of Counsel on January 11, 1988, a date already within the ten day limit as calculated according to Commission Rule No. 7-01.

In support of the Motion to Postpone, Counsel states that answers to the Motion for Summary Judgment are due in five days and replies to answers in three days. Then the Commission must rule on the Motion for Summary Judgment because the presiding officer is prevented from doing so by Commission Rule No. 15. Counsel correctly asserts that it would be impossible to decide the Motion for Summary Judgment at or prior to the hearing now scheduled.

Accordingly, for good cause shown, the Motion to Postpone will be granted, pending further order of the Commission. In doing so, it is noted that Case No. AP-87-27, a related case, was joined with Case No. AP-87-20 for public hearing by Order No. 3094, and, in the

interest of judicial economy, the hearing is cancelled as to both of these cases pending further order of the Commission.

FOR THE COMMISSION:


William H. McGilvery
Executive Director